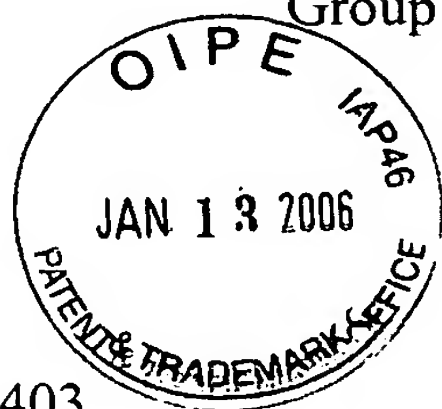


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 1656

In re
Patent Application of
Leslie A. Holladay
Application No. 10/016,403
Confirmation No.: 4840
Filed: December 10, 2001
Examiner: Steadman, David J.



I, Sandy Tabachnick, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Sandy Tabachnick
Signature

January 10, 2006
Date of Signature

“MODIFICATION OF POLYPEPTIDE DRUGS TO INCREASE ELECTROTRANSPORT FLUX”

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING
REJECTION OVER PRIOR PATENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


Alza Corporation, located at 950 Page Mill Road, Palo Alto, CA 94304 (hereinafter “Assignee”), by its undersigned attorney of record, represents that it is the owner of the entire interest in the above-identified application (hereinafter “said Application”) by virtue of an assignment recorded June 6, 1995, at Reel 7590, Frame 0802. Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on said Application, beyond the expiration date of the full statutory term of the patent granted from U.S. Application No. 08/466,610 (hereinafter “said ‘610 Application”). Assignee hereby agrees that any patent granted on said Application shall be enforceable only for and during such period that the legal title of the patent granted on said Application should be the same as the legal title to the patent granted from said ‘610 Application. This agreement shall run with any patent granted on said Application and be binding upon the grantee, its successors or assigns. In making the above disclaimer, Assignee does not disclaim any terminal part of the patent granted on said Application prior to the expiration date of the full statutory term of the patent granted from said ‘610 Application, in the event that the patent granted from said ‘610 Application later expires for failure to pay a maintenance fee, is held unenforceable, is found

invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term.

The undersigned is empowered to act on behalf of Assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 1/10/2006

By: 
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Attorney of Record

Attorney Docket No.: 011293-9028-01

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